



PATENT  
Attorney Docket **44921-5119**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: <b>Arthur CASTLE <i>et al.</i></b>	)	
	)	
Application No. <b>10/633,306</b>	)	Group Art Unit: <b>3725</b>
	)	
Filed: <b>August 4, 2003</b>	)	Examiner: <b>Not Assigned</b>
	)	
For: <b>METHODS FOR CLASSIFICATION</b>	)	
<b>OF BIOLOGICAL DATA</b>	)	

**SECOND INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.56 AND 1.97**

U.S. Patent and Trademark Office  
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Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. §§ 1.56 and 1.97 to inform the Patent Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby invite the Examiner's attention to references cited on the attached Revised PTO Form 1449.

With the exception of U.S. Patent Applications and U.S. Patents, copies of the documents are attached. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

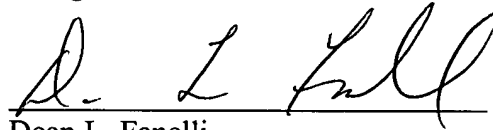
Identification of the listed references is not to be construed as an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application. Consequently, Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references therein as "Prior Art." As an alternative, Applicants submit herewith a "revised PTO Form 1449" entitled "List of References Cited By Applicant" instead of "List of Prior Art Cited."

Applicants respectfully request that the Examiner review all of the references and make them of record in the present application by signing and returning the enclosed List of References Cited.

Pursuant to 37 C.F.R. § 1.97(b)(3), this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits, so that no fee is believed to be due. However, should the Patent Office determine otherwise, please charge the required fee to Morgan, Lewis & Bockius LLP Deposit Account 50-0310.

Dated: August 6, 2004

Respectfully submitted,  
Morgan, Lewis & Bockius LLP

A handwritten signature in black ink, appearing to read 'D. L. Fanelli', is written over a horizontal line.

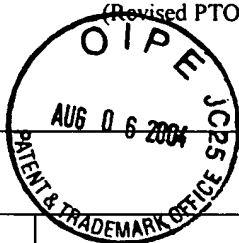
Dean L. Fanelli  
Registration No. 48,907

Customer No. 09629  
Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
202.739.3000  
202.739.3001

Enclosures

## LIST OF REFERENCES CITED BY APPLICANT

(Revised PTO Form 1449)



ATTY DOCKET NO.

44921-5119

APPLICATION NO

10/633,306

APPLICANT

Arthur CASTLE *et al.*

FILING DATE

August 4, 2003

GROUP

3725

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A01	US 2004/0110193 A1	6/10/2004	Castle et al.	435	6	
	A02	US 2002/0176821 A1	11/28/2002	Fogarty	424	9.2	
	A03	US 2002/0169562 A1	11/14/2002	Stephanopoulos et al.	702	19	
	A04	US 2002/0111742 A1	8/15/2002	Rocke et al.	702	19	
	A05	US 2002/0019704 A1	2/14/2002	Tusher et al.	702	19	
	A06						
	A07						
	A08						
	A09						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	B01	WO 02/10453 A2	2/7/2002	PCT				
	B02							
	B03							
	B04							
	B05							

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	C01	M. Xiong et al., "Feature (Gene) Selection in Gene Expression-Based Tumor Classification," <u>Molecular Genetics and Metabolism</u> , 73, 239-247 (2001).
	C02	S. Raychaudhuri et al., "Pattern recognition of genomic features with microarrays: site typing of Mycobacterium tuberculosis strains," <u>ISMB</u> , 286-195, (2000).
	C03	T. R. Golub et al., "Molecular Classification of Cancer: Class Discovery and Class Prediction by Gene Expression Monitoring," <u>Science</u> , Vol.. 285, 531-537, 15 October 1999.
	C04	S. Raychaudhuri et al., "Basic microarray analysis: grouping and feature reduction," <u>TRENDS in Biotechnology</u> , Vol. 19 No. 5 May 2001, 189-193.
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	C06	J. Shao, "Linear Model Selection by Cross-Validation," <u>Journal of the American Statistical Association</u> , June 1993, Vol. 88, No. 422, Theory and Methods, 486-494.

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



JPW

PATENT  
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Identification of the listed references is not to be construed as an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application. Consequently, Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references therein as "Prior Art." As an alternative, Applicants submit herewith a "revised PTO Form 1449" entitled "List of References Cited By Applicant" instead of "List of Prior Art Cited."

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**Morgan, Lewis & Bockius** LLP  
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202.739.3000  
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Enclosures



LIST OF REFERENCES CITED BY APPLICANT (Revised PTO Form 1449)				Attorney Docket 44921-5119		Application No. 10/633,306	
(Use several sheets if necessary)				Applicant: <b>Arthur CASTLE <i>et al.</i></b>			
PTO Form 1449				Filing Date: <b>August 4, 2003</b>		Group Art Unit: <b>3725</b>	
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	3.	6,218,122	4/17/2001	Friend <i>et al.</i>			
	4.	2001/0049139	12/6/2001	Lagasse <i>et al.</i>			

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							Yes	No
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	6.	WO 00/12760	2000-03-09	WO				
	7.	WO 03/085083	2003-10-16	PCT				
	8.	WO 03/095624	2003-11-20	PCT				
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	12.	WO 97/16732	1997-05-09	PCT				
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